

# CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

May 5, 1999

# H.R. 1555 Intelligence Authorization Act for Fiscal Year 2000

As ordered reported by the House Permanent Select Committee on Intelligence on April 28, 1999

# **SUMMARY**

H.R. 1555 would authorize appropriations for fiscal year 2000 for intelligence activities of the United States government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System (CIARDS). The bill would also authorize such sums as may be necessary to fund an emergency supplemental appropriation for fiscal year 1999.

This estimate addresses only the unclassified portion of the bill. On that limited basis, CBO estimates that enacting H.R. 1555 would result in additional spending of \$194 million over the 2000-2004 period, assuming appropriation of the authorized amounts. CBO has no basis for determining the cost of an emergency supplemental appropriation for fiscal year 1999. The unclassified portion of the bill would not affect direct spending or receipts; thus, pay-as-you-go procedures would not apply.

The Unfunded Mandates Reform Act (UMRA) excludes from application of that act legislative provisions that are necessary for the national security. CBO has determined that the unclassified provisions of this bill either fit within that exclusion or do not contain intergovernmental or private-sector mandates as defined by UMRA.

## ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of the unclassified portions of H.R. 1555 is shown in the following table. CBO cannot obtain the necessary information to estimate the costs for the entire bill because parts are classified at a level above clearances held by CBO employees. For purposes of this estimate, CBO assumes that H.R. 1555 will be enacted by October 1, 1999, and that the authorized amounts will be appropriated for fiscal year 2000.

	By Fiscal Year, in Millions of Dollars					
	1999	2000	2001	2002	2003	2004
SPENDING	G SUBJECT T	O APPROI	PRIATION			
Spending Under Current Law for						
Intelligence Community Management						
Budget Authority <sup>a</sup>	102	0	0	0	0	0
Estimated Outlays	104	39	9	2	0	0
Proposed Changes						
Authorization Level	0	194	0	0	0	0
Estimated Outlays	0	120	58	12	4	0
Spending Under H.R. 1555 for						
Intelligence Community Management						
Authorization Level <sup>a</sup>	102	194	0	0	0	0
Estimated Outlays	104	159	67	14	4	0

a. The 1999 level is the amount appropriated for that year.

Outlays are estimated according to historical spending patterns. The costs of this legislation fall within budget function 050 (national defense).

The bill would authorize appropriations of \$194 million for the Intelligence Community Management Account, which funds the coordination of programs, budget oversight, and management of the intelligence agencies. In addition, the bill would authorize \$209 million for CIARDS to cover retirement costs attributable to military service and various unfunded liabilities. The payment to CIARDS is considered mandatory, and the authorization under this bill would be the same as assumed in the CBO baseline.

Section 501 of the bill would allow the Director of the National Imagery and Mapping Agency (NIMA), in coordination with the Director of the Central Intelligence Agency (CIA), to exempt certain documents from provisions of the Freedom of Information Act (FOIA). The bill would allow exemptions for files concerning the activities of NIMA that, prior to its creation in 1996, were performed by the National Photographic Interpretation Center (NPIC) within the CIA and that document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems. H.R. 1555 would also require a decennial review under rules and procedures similar to those governing operational files of the CIA.

CBO believes this section could result in discretionary savings from reduced administrative and legal costs that NIMA might otherwise incur to respond to FOIA requests. These potential savings could be partially offset by any future legal costs arising from the limited judicial review that H.R. 1555 would permit. (Judicial review would allow legal challenges of NIMA's decisions to exempt certain files.) H.R. 1555 would also require NIMA to review the exempt status of operational files every 10 years, but CBO believes that the resulting cost would be small, considering the classification reviews that occur under current law. CBO cannot estimate the budgetary impact of section 501 because we have no information about the number of files that this section would affect or the unit cost for NIMA to review them.

# **PAY-AS-YOU-GO CONSIDERATIONS:** None

#### INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

The Unfunded Mandates Reform Act (UMRA) excludes from application of the act legislative provisions that are necessary for the national security. CBO has determined that the unclassified provisions of this bill either fit within that exclusion or do not contain intergovernmental or private-sector mandates as defined by UMRA.

### **ESTIMATE PREPARED BY:**

Federal Costs: Dawn Sauter

Impact on State, Local, and Tribal Governments: Teri Gullo

Impact on the Private Sector: Eric Labs

### **ESTIMATE APPROVED BY:**

Robert A. Sunshine

Deputy Assistant Director for Budget Analysis

3